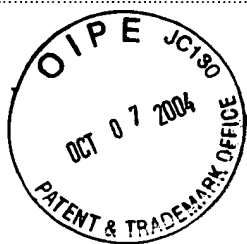


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. A. Doherty, et al.

Serial No. 10/505,268

Filed: August 20, 2004

For: AMINOALKYLPHOSPHONATES AND RELATED  
COMPOUNDS AS EDG RECEPTOR AGONISTS

Art Unit: \_\_\_\_\_

Examiner: \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450RECEIVED  
OCT 18 2004  
Group 2100INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

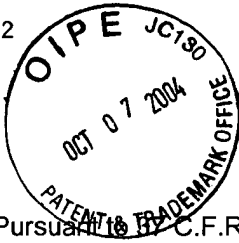
4. Pursuant to the waiver by the Office of the requirement under 37 CFR 1.98 (a)(2)(i) dated July 11, 2003, if the filing date of this application is after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

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By 

Date 10-5-04



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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

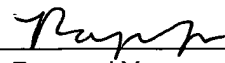
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE


If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

  
 By: Raynard Yuro  
 Attorney \_\_\_\_\_ For Applicant(s)  
 Reg. No. 45,570  
 MERCK & CO., INC.  
 Patent Dept., RY60-30  
 P.O. Box 2000  
 Rahway, N.J. 07065-0907  
 (732)594-0182  
 Date: October 5, 2004



[illegible][illegible]

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE

## STATEMENT BY APPLICANT

(Use as many sheets as necessary)

2

of

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COMP IF KNOWN

Application Number 10/505,268

Filing Date August 20, 2004

First Named Inventor Doherty, et al.

Group Art Unit

Examiner Name

Attorney Docket Number 21045P

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 Group 2100

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	A	Isogai, et al., "Nuclear Magnetic Resonance", Tetrahedron Lett., " Vol., 23 No. 30, PP. 3065 - 3068, 1982
	B	Ender, et al., " Enantioselective Synthesis of B-Amino acids: TMS-SAMP as a Chiral Ammonia Equivalent for the Aza Analogous Michael Addition to x, B-Unsaturated Esters", Angewandte Chemie International Edition In English, Vol., 34, No. 4, PP. 455-457, 1995
	C	Nakashima, et al., " Pollen germination inhibition by .alpha. - and .beta. - aminoalkanoic acids", Chemistry Express, Vol., 7 No 6, PP. 481-484, 1992
	D	PeyPoux, et al., Tetrahedron, "Iturin and Iturinic Acids", Vol., 29, No. 21, PP. 3455-3459, 1973
	E	Lopez, et al., Tetrahedron, "Ethyl N-(Diphenylmethylene) glycinate as Anionic Glycine Equivalent. Monoalkylation, Dialkylation and Michael Additions Under Solid-Liquid Phase-Transfer Catalysis", Vol. 52, No. 24, pp. 8365-8386, 1996
	F	Guillena, et al., Tetrahedron, "Stereoselective Synthesis of 2,3-Disubstituted Glutamic Acid Derivatives by Conjugate Addition to 3,4-Didehydropyrogutamates", Vol 54, No. 32, pp. 9447-9456, 1998
	G	Borea, et al., Farmaco, Ed. Sci., " Brain Receptor Binding of Analogues of Y-Aminobutyric Acid (GABA), Vol. 38, No. 6, pp. 411-417, 1983
	H	Yanagisawa, et al., Chemistry Letters, "Synthesis of Statine and Its Analogues", Vol. 4, pp. 687-690, 1989
	I	Guillena, et al., "Synthesis of 2-substituted 4-methyleneglutamic acids and their cyclopropyl analogues", Anales de Quimica Int. ed., Vol. 92, pp. 362-369, 1996

Examiner Signature

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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